

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MICHAEL URBINO and BRIAN WHITNEY, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

AMBIT ENERGY HOLDINGS, LLC,
AMBIT TEXAS, LLC, AMBIT
NORTHEAST LLC, and AMBIT NEW
YORK, LLC,

Defendants.

Civil Action No. 3:14-cv-05184-
MAS-DEA

**Jury Trial Demanded
Oral Argument Requested
Motion Day: February 2, 2015**

**NOTICE OF MOTION TO DISMISS
PLAINTIFFS' FIRST AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that on February 2, 2015 at 9:00 a.m., or as soon thereafter as counsel may be heard, Defendants Ambit Energy Holdings, LLC; Ambit Texas, LLC; Ambit Northeast, LLC; and Ambit New York, LLC (collectively, "Defendants") will move for an order dismissing Plaintiffs' First Amended Class Action Complaint.

Defendants will rely on the brief in support of the relief sought in the proposed order filed and served with this notice of motion.

Respectfully submitted,



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Dated: December 29, 2014

**NOTICE OF MOTION TO DISMISS PLAINTIFFS'
FIRST AMENDED CLASS ACTION COMPLAINT — PAGE 3**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the following document has been served on all counsel of record in accordance with the Federal Rules of Civil Procedure and this Court's Local Rules by ECF on this 29th day of December, 2014.

Respectfully Submitted,



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